

TRIPURA



GAZETTE

Published by Authority
EXTRAORDINARY ISSUE

Agartala, Wednesday, March 4, 2020 A. D., Phalguna 14, 1941 S. E.

**PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.**

**GOVERNMENT OF TRIPURA
LABOUR DEPARTMENT.**

No.F. 21(98)-LAB/ENF/Labour Laws/2017/1285

Dated, Agartala, the 19th February, 2020.

NOTIFICATION

Whereas, for the ease of, and for the expedient compliance of the requirements of certain labour related laws referred to herein and for the purpose of rationalization of forms and reports so as to provide trust based efficient public service delivery, it has become essential to frame separate rules;

And whereas, the intention to provide for combined and simplified forms and reports is to subserve the purposes, electronically or otherwise, of the said labour related laws and the rules made thereunder, wherein provisions have been made for use of such forms and reports ;

And whereas, the combined and simplified forms and reports provided under these rules will facilitate ease of compliance and inspection, being as simple as possible and making the information provided thereunder easily accessible to the public thereby increasing transparency;

And whereas, making separate rules for the aforementioned purpose will benefit, making use of forms and reports provided under different Labour related Laws simple.

And whereas, to achieve the aforementioned purposes, the draft rules, namely, the Rationalisation of Forms and Reports under Certain Labour Laws Rules, 2017 was published vide notification of the Government of Tripura, Labour Department, in the Tripura Gazette, Extra Ordinary issue, dated, 2nd September, 2019 inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of a period of thirty days from the date on which the copies of the official Gazette containing the said notification were made available to the public;

And whereas, the copies of the said Official Gazette were made available to the public on the 4th September, 2019;

And whereas, no objections or suggestions were received from public on the said draft rules;

Now therefore, to achieve the aforementioned purposes, the State Government, in exercise of the powers conferred by,-

- (i) Section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act No.37 of 1970);
- (ii) Section 35 of The Interstate Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979 (Central Act No.30 of 1979);
- (iii) Section 62 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act No.27 of 1996);

read with Chapter III of the Information Technology Act, 2000 (21 of 2000), hereby makes the following rules, namely :-

RULES

- (i) Short title and commencement. - (i) These rules may be called the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. Maintenance of Forms under certain labour related laws. - (1) Notwithstanding anything contained in any rules made in these regard and on this behalf under , -

- (i) Section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act No.37 of 1970);
- (ii) Section 35 of the Interstate Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979 (Central Act No.30 of 1979);
- (iii) Section 62 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act No 27 of 1996),

the Forms specified in the Schedule annexed to these rules shall be maintained either electronically or otherwise and used for the purposes of the aforesaid enactments and the rules made thereunder, as specified therein.

(2) If the Forms referred to in sub-rule (1) are required for inspection by the concerned Inspector appointed under any of the enactments referred to in the said sub-rule, the concerned persons shall make available such Forms or provide the necessary particulars for the purposes of accessing the information, as the case may be.

3. Amendment of certain rules. - The following rules shall be amended, except as respects things done or omitted to be done before such amendment, in the manner specified below, namely :-

(i) The Tripura Contract Labour (Regulation & Abolition) Rules, 1978,-

(A) The existing contents in Rule shall be substituted with the following -

4) Terms of Office. - (1) The Chairman of the Board shall hold office as such for a period of three years from the date on which his appointment is first notified in the Official Gazette.

(2) Each of the members of the Board, referred to in clauses (3) of Rule 3, shall hold Office as such during the pleasure of the Governor.

(3) Each of the members referred to in clause (4) of Rule 3 shall hold Office as such for a period of three years commencing from the date on which his appointment has been first notified in the Official Gazette.

Provided that where the successor of any such member has not been notified in the Official Gazette on or before the expiry of the said period of three years, such member shall,

notwithstanding the expiry of the period of his office, continue to hold such office until the appointment of his successor has been notified in the Official Gazette.

(4) If a member is unable to attend a meeting of the Board, the State Government or the body which appointed or nominated him may, by notice in writing signed on its behalf and by such member and addressed to the Chairman of the said Board, nominate a substitute in his place to attend the meeting and such a substitute member shall have all the rights of a member in respect of that meeting and any decision taken at the meeting shall be binding on the said body.

(B) After rule 6, - the following rules, shall be inserted -

6A. Disqualification for membership. - (1) A person shall be disqualified for being reappointed, and for being a member of the Board,-

- (i) if he is of unsound mind and stands so declared by a competent Court; or
- (ii) if he is an undischarged insolvent; or
- (iii) if he has been or is convicted of an offence which, in the opinion of the State Government, involves moral turpitude.

(2) If a question arises as to whether a disqualification has been incurred under sub-rule (1), the State Government shall decide the same.

6B. Removal from membership. - The State Government may remove from office any member of the Board, if in its opinion such a member has ceased to represent the interest which he purports to represent on the Board;

Provided that no such member shall be removed unless a reasonable opportunity is given to him of making any representation against the proposed action.

6C. Vacancy. - When a vacancy occurs or is likely to occur in the membership of the Board the Chairman shall submit a report to the State Government and on receipt of such report the State Government shall take steps to fill the vacancy by making an appointment from amongst the category of persons to which the person vacating membership belonged and the person so appointed shall hold office for the remainder of the term of office of the member in whose place he is appointed.

(C) After rule 8, the following Rules, shall be inserted -

8A. Disposal of business. - Every question which the Board is required to take into consideration shall be considered at a meeting, or, if the Chairman so directs, by sending the necessary papers to every member for opinion, and the question shall be disposed of in accordance with the decision of the majority;

Provided that in the case of equality of votes, the Chairman shall have a second or a casting vote.

Explanation. – “Chairman” for the purposes of this rule shall include the Chairman nominated under Rule 8 to preside over a meeting.

8B. Committees of the Board. – (1) (i) The Board may constitute such Committees and for such purpose or purposes as it may think fit.

(ii) While constituting the Committee the Board may nominate one of its members to be the Chairman of the Committee.

(2)(i) The Committee shall meet at such times and places as the Chairman of the said Committee may decide.

(ii) The provisions of Rules 8, 8(A), 9 and 10 shall apply to the Committee for transaction of business at its meetings as they apply to the Board, subject to the modification that the quorum specified in Rule 10 shall be ‘one-third of the members’ instead of ‘five members’.

(3) The provisions of Rule 11 shall apply to the members of the Committee for attending the meetings of the Committee, as they apply to the members of the Board.

(D) in rule 13,-

(a) in sub-rule (1), for the words and figures “in Form II”, the words and figures “in Form I” annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019” shall be substituted;

(b) in rule 13, after sub-rule 1, the following sub-rule, shall be added,-

1-A. Every certificate of registration granted under sub-section (2) of Section 7 shall contain the following particulars, namely –

- (a) The name of the establishment;
- (b) The maximum number of workmen to be employed as contract labour in the establishment;
- (c) The type of business, trade, industry, manufacture or occupation which is carried on in the establishment;
- (d) Such other particulars as may be relevant to the employment of contract labour in the establishment.

(E) After Rule 13, the following Rules shall be inserted –

13A. Circumstances in which application for registration may be rejected. – (1) If any application for registration is not complete in all respects, the registering officer shall require the principal employer to amend the application so as to make it complete in all respects.

(2) If the principal employer, on being required by the registering officer to amend his application for registration, omits or fails to do so, the registering officer shall reject the application for registration.

(F) in rule 15, -

(a) in sub-rule (1), for the words and figures "in Form IV", the words and figures "in Form II annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted;

(b) in sub-rule (2), for the words and figures "in Form V", the words and figures "in Form III annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted;

(G) In rule 18, sub-rule (1), shall be substituted with the following:

Security: - (1) Before a licence is issued, an amount calculated at the rate of Rs.90 for each of the workman to be employed as contract labour, in respect of which the application for licence has been made, shall be deposited by the contractor for due performance of the conditions of the licence and compliance with the provisions of the Act or the rules made thereunder:

(1-A) Where the applicant for the licence was holding a licence in regard to another work and that licenses had expired, the licensing officer, if he is of the view that any amount out of the security deposited in respect of that licence is to be directed to be refunded to the applicant under rule 25, may, on an application made for that purpose in Form V by the applicant adjust the amount so to be refunded towards the security required to be deposited in respect of the application for the new licence and applicant need deposit, in such a case, only the balance amount, if any, after making such adjustment.

(H) in rule 19, -

(a) In sub-rule (1), for the words and figures "in Form VI", the words and figures "in Form VI annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be same.

(b) in sub-rule (2), -

In clause (iv), after the words "settlement or award", the words "or by the State Government" shall be inserted.

(c) in rule 19, after clause (v), the following clauses shall be inserted:

(vi) (a) in every establishment where twenty or more women are ordinarily employed as contract labour, there shall be provided two rooms of reasonable dimensions for the use of their children under the age of six years,

(b) one of such rooms shall be used as a play-room for the children and the other as bed room for the children,

(c) the contractor shall supply adequate number of toys and games in the play room and sufficient number of cots and beddings in the sleeping room,

(d) the standard of construction and maintenance of the crèches shall be such as may be specified in this behalf by the Labour Commissioner ;

(vii) the licensee shall notify any change in the number of workmen or the conditions of work to the licensing officer;

(viii) the licensee shall, within fifteen days of the commencement and completion of each contract work submit a return to the Inspector, appointed under section 28 of the Act, intimating the actual date of the commencement or, as the case may be, completion of such contract work in Form VII annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019".

(ix) a copy of the licence shall be displayed prominently at the premises where the contract work is being carried on;

(x) no female contract labour shall be employed by any contractor before 6.00 a.m. or after 7.00 p.m.: Provided that this clause shall not apply to the employment of women in pithead baths, crèches and canteens and as to midwives and nurses in hospitals and dispensaries]

(I) The existing contents of Rule 20 shall be substituted with the following :

20. Fees. - (1) The fees to be paid for the grant of a certificate of registration under Section 7, shall be as specified below, namely :-

If the number of workmen proposed to be employed on contract on any day -

	Rs.
(a) is 5	200/-
(b) exceeds 5 but does not exceed 10	300/-
(c) exceeds 10 but does not exceed 20	400/-
(d) exceeds 20 but does not exceed 50	800/-
(e) exceeds 50 but does not exceed 100	1200/-
(f) exceeds 100 but does not exceed 200	1600/-
(g) exceeds 200	2000/-

(2) The fees to be paid for the grant of a licence under Section 12 shall be as specified below :-
If the number of workmen employed by the contractor on any day -

	Rs.
(a) exceeds 5 but does not exceed 10	200/-
(b) exceeds 10 but does not exceed 20	300/-
(c) exceeds 20 but does not exceed 50	400/-
(d) exceeds 50 but does not exceed 100	600/-
(e) exceeds 100	800/-

Tripura Gazette, Extraordinary Issue, March 4, 2020 A. D.

- (J) In rule 23, in sub-rule (2), the words and figures "in Form VII", the words and figures "in Form II annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.
- (K) Rule 26 shall be omitted;
- (L) In rule 65, in clause (i), the words and figures "in Form XIV", the words and figures "in Form XII annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.
- (M) In rule 66, the words and figures "in Form XV", the words and figures "in Form VIII annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.
- (N) In rule 69, after clauses (a) & (b), clause (c) as given below shall be inserted.
- (c) Every principal employer shall, within fifteen days of the commencement or completion of each contract work under each contractor, submit a return to the Inspector, appointed under Section 28 of the Act, intimating the actual dates of the commencement or, as the case may be, completion of such contract work in Form VII annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019.
- (O) Forms II, IV, V, VI, VII, VIII, IX, X, XI, XIV and XV shall be omitted.
- (II) The Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980, -
- (A) In rule 4, in Sub-Rule (1), for the words and figures "in Form II" the words and figures, "in Form I annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.
- (B) In rule 7, -
- (a) in sub-rule (1), for the words and figures "in Form IV", the words and figures "in Form-II annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(b) in sub-rule (2), for the words and figure "in Form V", the words and figures "in Form-II annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(c) in sub-rule (3), in clause (i), for the words and figures "in Form VI" the words and Figures "in Form III annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(C) The existing contents in Rule 10 shall be substituted with the following:

10. Security. – (1) Where the Licensing Officer is satisfied that any person who has applied for or who has been issued a licence should furnish security for the due performance of the conditions of the licence, he shall prepare an estimate of all the amount needed to provide for recruitment or employment of migrant workmen on the basis of the following factors, namely : -

- (i) Wages equivalent to one wage period payable under clause (v) of sub-rule (2) of Rule 11, read with Rule 25,
- (ii) Provision of medical facilities under Rule 37,
- (iii) Provision of protective clothing under Rule 38, wherever applicable,
- (iv) Provision of drinking water, latrines, urinals and washing facilities under Rule 39, read with Rules 42 and 43,
- (v) Provision of rest rooms under Rule 40, wherever applicable,
- (vi) Provision of canteens under Rule 41, wherever applicable,
- (vii) Provision of crèche under Rule 44, wherever applicable,
- (viii) Provision of residential accommodation under Rule 45,
- (ix) Journey allowance under Section 15,
- (x) Number of migrant workmen employed or recruited, and
- (xi) Duration of work.

(2) The Licensing Officer shall determine the amount of the security to be furnished by such person, after considering the solvency of such person, not exceeding 40 per cent of the amount estimated by him in accordance with sub-rule (1) above.

(3) Where the applicant for the licence was holding a licence in regard to another work and that licence had expired, the licensing officer, if he is of the view that any amount out of the security, if any, deposited in respect of that licence is to be refunded to the applicant under Rule 17, he may on an application made for that purpose in Form V annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019 by the applicant adjust the amount so to be refunded towards the security, if any, required to be deposited in respect of the application for the new licence and the applicant need deposit, in such a case, only the balance amount, if any, after making such adjustment.

(D) In rule 11, -

(a) in sub-rule (1), for the words and figures "in Form VIII", the words and figures "in Form VI annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(b) in sub-rule 2 in clause (v), after the words "settlement or award", the words "or by the State Government" shall be inserted.

(E) In Rule 14, in sub-rule (2), for the words and figures "in Form IX" the words and figures "in Form II annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(F) In Rule 21, in sub-rule (1), for the words and figures "in Form X" the words and figures "in Form X annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(G) In Rule 24, for the words and figures "in Form XI" the words and figures "in Form X annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(H) In Rule 50, for the words and figures "in Form XIV" the words and figures "in Form VIII annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(I) Forms II, IV, V, VI, VII, VIII, IX, X, XI and XIV shall be omitted;

(III) The Tripura Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2001 (amended in 2006), -

(A) In rule 24, for the words and figures "in Form II", the words and figures "in Form I annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(B) In rule 26, in sub-rule (3), for the words and figures "in Form IV", the words and figures "in Form VII annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(C) In rule 74 in sub-rule (b), -

(a) in clause (i), -

(I) in sub-clause (a), for the words and figures "in Form V", the words and figures "in Form IV annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(II) In Sub-clause (b), for the words and figures "in Form VI", the words and figures "in Form IV annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(b) in clause (ii), for the words and figures "in Form VII", the words and figures "in Form IV annexed to the Tripura Rationalisation of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(c) in clause (iii), for the words and figures "in Form VIII", the words and figures "in Form IV annexed to the Tripura Rationalisation of Forms and Reports under Certain Labour laws Rules, 2019" shall be substituted.

(d) in rule 74 in sub-rule (b), after the sub-clause (iii), the following sub-rule, shall be added,-

(iii) (a) In case of heat treatment and examination of loose gears under Rule 72 "in Form IV annexed to the Tripura Rationalisation of Forms and Reports under Certain Labour laws Rules, 2019".

(D) In rule 210, in sub-rule (7), for the words and figures "in Form XIV", the words and figures "in Form XI annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.


(E) In Rule 223, in clause (c), for the words and figures "in Form XI", the words and figures "in Form IX annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(F) In Rule 230, in clause (a), for the words and figures "in Form XIII", the words and figures "in Form XI annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(G) in rule 239, in sub-rule (1), for the words and figures "in Form IV", the words and figures "in Form VII annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted.

(H) in rule 241, in sub-rule (2), in clause (b), for the words and figures "in Form XXIV", the words and figures "in Form VIII annexed to the Tripura Rationalization of Forms and Reports Under Certain Labour Laws Rules, 2019" shall be substituted and

(I) Forms II, IV, V, VI, VII, VIII, IX, X, XI, XIII, XIV and XXIV shall be omitted.


(Deepa Nair)
Special Secretary to the
Government of Tripura

SCHEDULE

[See rule 2(1)]

FORM I

[Under rule 13(1) of the Tripura Contract Labour (Regulation and Abolition) Rules, 1978; rule 24(1) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001; and rule 4(1) of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980]

CERTIFICATE OF REGISTRATION OF PRINCIPAL EMPLOYER/EMPLOYER*

Date.....

Government of Tripura
Office of the Registering Officer

A Certificate of Registration containing the following particulars is hereby granted under sub-section (2) of section 7 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) */sub-section (3) of section 7 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996)*/clause (a) of sub-section (2) of section 4 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979)* and the rule made there under to.....

1. Nature of work carried on in the establishment of the Principal Employer.
2. Names of Contractors.*
3. LIN/PAN No. of contractors *
4. Email Id of contractors *
5. Mobile No. of contractors *
6. Nature of work of the contractor/employer* in which workman/building and other construction (BOC) worker* is employed or is to be employed.
7. Maximum number of building and other construction (BOC) workers to be employed by the employer under the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996)/workmen to be employed through each contractor under the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) or under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979)* on any day.

Signature of the Registering Officer with Seal.

* Please strike off whichever is not applicable.

FORM II

[Under rule 15(1) and rule 23(2) of the Tripura Contract Labour (Regulation and Abolition) Rules, 1978; and rule 7(1), rule 7(2) and rule 14(2) of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980]

Application for Licence/Renewal of Licence under the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970)/ the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979)*:

A. Details of the contractor

1. Name of the contractor:
2. LIN/PAN No. of the contractor:
3. Email Id of the contractor:
4. Mobile No. of the contractor:

B. Details to be filled only in case of application for licence*

Particulars of Establishment where workman is to be employed-

- (a) Name of the Principal Employer:
- (b) Number and date of Certificate of Registration of the Establishment under the Act:

Particulars of Contract Labour-

- (a) Nature of work in which workman is employed or is to be employed in the Establishment:
- (b) Duration of the proposed contract work (please give particulars of proposed date of commencement and completion):
- (c) Name and address of the Agent or Manager of Contractor at the work-site;
- (d) Maximum number of workmen proposed to be employed on the Establishment on any date:
- (e) Whether a certificate by the Principal Employer, in Form III is enclosed:

C. Details to be filled only in case of application for renewal of licence*

- (a) Number and date of the licence:
- (b) Date of expiry of the licence:

D. Details of licence fee and security deposit

- (a) Amount of licence fee, name of the Bank, demand draft No. and date / transaction no. and date in case the amount has been deposited in the notified bank account

(P.T.O)

- (b) Amount of security deposit, name of the Bank, demand draft No. and date / transaction no. and date in case the amount has been deposited in the notified bank account

Place

Signature of the Applicant (Contractor)

Date.....

* Please strike off whichever is not applicable.

(To be filled in the office of the Licensing Officer)
Date of receipt of the application with DD for fees/Security Deposit

Signature of the Licensing Officer

FORM III

[Under rule 15(2) of the Tripura Contract Labour (Regulation and Abolition) Rules, 1978; and rule 7(3) of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980]

Form of Certificate by Principal Employer

Certified that:

1. I have engaged the applicant (name of the contractor) as a contractor in my establishment for the work _____ to be carried out from _____ (date) to _____ (date).
2. I undertake to be bound by all the provisions of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) and the Tripura Contract Labour (Regulation and Abolition) Rules, 1978*/ the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979) and the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980* in so far as the provisions are applicable to me in respect of the employment of contract labour/inter-state migrant workmen* by the applicant in my establishment.
3. The engagement of contract labour in the said work is not prohibited under sub section (1) of section 10 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) or an award or a settlement.*

Place:

Signature of Principal Employer

Date:

Name and address of the establishment

*Please strike off whichever is not applicable.

FORM – IV

[Under rule 56, rule 62, rule 69, rule 70, rule 72, rule 73, rule 74(b) and Schedule I of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]

CERTIFICATE OF INTIAL AND PERIODICAL TEST AND EXAMINATION OF VARIOUS APPLIANCES

(Please fill particulars as applicable)

1. Location of work
2. Registration number and date in respect of building and other construction work

Sl. No.	Appliance Category	Test Certificate No. and date of test	Situation and description with distinguishing number or marks	Parameters of test and examination *	Test load applied	Safe work load as per Parameters in column 3 (Tonnes)	Specific Details	Name and address of public service, association, company, or firm or testing establishment making the test and examination	Name and position of the competent person of public service association, company or firm or testing establishment
1	2	3	4	5	6	7	8	9	10
1	Winches, Derricks and their Accessory Gear (Lifting appliance and Gear) [rule 56, rule 74 (b) and Schedule I of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]				(in tonnes)			
2	Cranes or Hoists and their Accessory Gear [rules 56 and 74 (b) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]				(in metres)			
3	Loose Gear (also,				(in tonnes)		(name and		

*	Initial test and examination certificate No. and date to be indicated, in case of periodical test) [rules 70 and 74(b) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]						address of Manufacturer or supplier)		
4	Wire Rope [rules 71 and 74 (b) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]		(name and address of maker or supplier)				(Quality of wire and intended use of wire rope)		
5	Annealing of Loose Gears [rules 72 and 74 (b) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]						(Defects found at inspection after annealing)		
6	Loose Gears exempted from Annealing [rules 69 and 73 of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]						(Remarks)		

* Specific parameters related to the category mentioned in col. (2) above are as indicated here below against their serial number:-

<u>Sl. No.</u>	<u>Parameters</u>
----------------	-------------------

- | | |
|----|---|
| 1. | Angle to the horizontal of derrick boom at which test load applied. |
| 2. | For jib cranes-radius at which the test load was applied. |
| 3. | Number and material of loose gears tested. |
| 4. | (a) Circumference/diameter of rope (b) Number of strand (c) Number of wire per strand (d) Lay (e) Core. |
| 5. | Number of loose gears annealed with date of annealing. |
| 6. | Number of certificate of initial and periodical test and examination. |

I certify that the above particulars relating to serial number..... are correct, and that the test and examination were carried out in my presence and no defects affecting safe working condition were found other than those indicated above.

.....
Signature of Competent Person with seal

Date.....

Registration/ Authority number of the Competent Person.

FORM V

[Under rule 18(1-A) of the Tripura Contract Labour (Regulation and Abolition) ~~Central~~ Rules, 1978; and rule 10(2) of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980]

Application for Adjustment of Security Deposit

1. Name of the contractor:
2. LIN/PAN No. of the contractor:
3. Email Id of the contractor:
4. Mobile No. of the contractor:
5. Name of the principal employer:
6. LIN/PAN No. of the Principal Employer:
7. Email Id of the Principal Employer:
8. Mobile No. of the Principal Employer:
9. Details of security deposit:

No. and date of licence	Date of expiry of previous licence	Whether the previous licence of the contractor was suspended or revoked	Amount of previous security deposit	Amount, number and date of demand draft / transaction slip of the balance security deposit deposited if any	No. and date of certificate of registration of the establishment in relation to which the fresh licence is applied for	Name and location of fresh contract work
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Place:

Date:

Seal & Signature of the Applicant

FORM VI

[Under rule 19(1) of the Tripura Contract Labour (Regulation and Abolition) Rules, 1978; and rule 11(1) of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980]

**Government of Tripura
Office of the Licensing Officer
LICENCE**

Licence No. _____ Dated _____ Fee paid Rs.

1. Licence is hereby granted tounder sub-section (1) of section 12 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) or sub-section (1) of section 8 of the Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979(30 of 1979)* subject to the conditions specified in the Annexure.
2. Name and location of work
3. Name of the principal employer.
4. Registration Certificate no. and date of the principal employer.
5. The licence shall remain in force till.....(date to be indicated)].
6. Maximum number of contract labour/migrant workmen to be employed on a single day under the licence:

Date.....

Signature and Seal of the Licensing Officer

RENEWAL

[Under Rule 23 of the Tripura Contract Labour (Regulation and Abolition) Rules, 1978; and rule 14 of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980]

Date of Renewal Fee paid for renewal Date of Expiry *Seal and Signature of the
Licensing Officer*

- 1.
- 2.
- 3.

* Please strike off whichever is not applicable.

(P.T.O)

ANNEXURE

The licence is subject to the following conditions:

1. The licence shall be non-transferable.
2. The number of workmen employed as contract labour/migrant workmen in the establishment shall not, on any day, exceed the maximum number specified in the licence.
3. Except as provided in the rules, the fees paid for the grant or, as the case may be, for renewal of the licence shall be non-refundable.
4. The rates of wages payable to the workmen by the contractor shall not be less than the rates prescribed for the Scheduled Employment under the Minimum Wages Act, 1948 (11 of 1948), where applicable, and where the rates have been fixed by agreement, settlement, award, or by the appropriate Government, not less than the rates so fixed.
5. (a) In case where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work; provided that in the case of any disagreement with regard to the type of work the same shall be decided by the Labour Commissioner whose decision shall be final.
(b) In other cases the wage rates, holidays, hours of work and conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by the Labour Commissioner.
6. Every contract labour/migrant worker shall be entitled to allowances, benefits, facilities etc, as prescribed in the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) or the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979) and rules made there under.
7. In every establishment where 20 or more women are ordinarily employed as there shall be provided 2 rooms of reasonable dimension for the use of their children under the age of six years. One of such rooms would be used as a play room for the children and the other as bed room for the children. For this purpose the contractor shall supply adequate number of toys and games in the play room and sufficient number of cots and beddings in the sleeping room. The standard of construction and maintenance of the crèches may be such as may be specified in this behalf by the Labour Commissioner.
8. No women shall be employed by any contractor before 6 a.m. or after 7 p.m.:
Provided that this clause shall not apply to the employment of women in pit head baths, crèches and canteens and as mid-wives and nurses in hospitals and dispensaries.
9. The licensee shall notify any change in the number of workmen or the conditions of work to the Licensing Officer.
10. A copy of the licence shall be displayed prominently at the premises where the contract work is being carried on.
11. The contractor shall comply with all the provisions of the Act and these Rules.
12. The licensee shall, within fifteen days of the commencement and completion of each contract work, submit a return to the Inspector appointed under section 28 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) intimating the actual date of the commencement or, as the case may be, completion of such contract work in

FORM VII

[Under rule 19(2) (viii) and rule 72(3) of the Tripura Contract Labour (Regulation and Abolition) Rules, 1978; and rule 26(3) and 239(1) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]

Notice of commencement/completion of work

- (1) Name of the principal employer under the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970)/Employer under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996)*
- (2) LIN/Pan No.
- (3) Email Id
- (4) Mobile No.
- (5) Name of the contractor under the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) (if applicable)
- (6) LIN/Pan No.
- (7) Email Id
- (8) Mobile No.
- (9) No. and date of Certificate of Registration/Licence *
- (10) Name of person in-charge of the work:
- (11) LIN/Pan No. of person in-charge of work
- (12) Email Id of person in-charge of work
- (13) Mobile No. of person in-charge of work
- (14) The nature of work involved and the facilities, including any plant and machinery provided in the case of a building or other construction work
- (15) The arrangements for the storage of explosives, if any, to be used in the building or other construction work

I/We hereby intimate that the work (Name of work) given to (name of the contractor) having [licence/ Registration Certificate No. dated]* has been/is likely to be commenced /completed with effect from (date)/on (date).

Signature of the Principal Employer/Contractor/Employer*

To

The Inspector

.....
.....

* Please strike off whichever is not applicable.

FORM VIII

[Under rule 66 of the Tripura Contract Labour (Regulation and Abolition) Rules, 1978; rule 241(2)(b) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001; and rule 50 of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980]

Service Certificate

1. Name of contractor/employer *:
2. LIN/PAN No. of the contractor/employer *:
3. *Email Id of the contractor /employer **:
4. *Mobile No. of the contractor/employer **:
5. Nature and location of work:
6. Name of Principal Employer *:
7. LIN/PAN No. of the Principal Employer: *
8. Email Id of the Principal Employer: *
9. Mobile No. of the Principal Employer: *
10. Name of the workman or building and other construction worker*:
11. UAN / Aadhaar No. :
12. Mobile No. :
13. Serial Number in the Register of Workmen:
14. Registration number, date and name of the Board if the building and other construction worker is registered as a beneficiary:
15. Period of Employment:
16. Designation:

Seal and Signature of Contractor

* Please strike off whichever is not applicable.

FORM IX

[Under rule 223(C) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]

CERTIFICATE OF MEDICAL EXAMINATION

1. Certificate Serial No. Date.....
2. Name:
- Identification marks: (1) (2)
- (i) UAN/Aadhaar No. :
- (ii) Mobile no. :
3. Name of father/husband. :
4. Sex :
5. Date of birth: or age:
6. Physical Fitness:

I hereby certify that I have personally examined the above named person, son/daughter/wife of.....residing at.....who is desirous of being employed in building and construction work and that his/her age as nearly as can be ascertained from my examination is.....year and that he/she is fit for employment inas an adult/adolescent.

8. Reason for—
(1) refusal of certificate.....
(2) certificate being revoked.....

Signature/Left hand Thumb
impression of building worker

Signature with Seal
Medical Inspector/C.M.O.

Note:

1. Exact details of cause of physical disability should be clearly stated.
2. functional/productive abilities should also be stated if disability is stated.

FORM X

[Under rule 21(1) and rule 24 of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980]

[Report on recruitment and employment of migrant workmen as prescribed under sub-rule (1) of rule 21 of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980, and cessation of employment of migrant workmen as prescribed under rule 24 of the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980, to the authorities specified under the explanation below sub-section (2) of section 12 of Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.]

1. Name of the contractor.
 - 1A. LIN/PAN No. of the contractor:
 - 1B. Email Id of the contractor:
 - 1C. Mobile No. of the contractor:
2. Name of the sub-contractor through whom recruitment has been made.
 - 2A. LIN/PAN No. of the sub-contractor:
 - 2B. Email Id of the sub-contractor:
 - 2C. Mobile No. of the sub-contractor:
3. Name of the establishment.
 - 3A. LIN/PAN No. of the establishment:
 - 3B. Email Id of the establishment:
 - 3C. Mobile No. of the establishment:
4. Name of the Principal Employer.
 - 4A. LIN/PAN No. of the Principal Employer:
 - 4B. Email Id of the Principal Employer:
 - 4C. Mobile No. of the Principal Employer:
5. Name of the State in which the place of work is located.
6. Name of the State in which recruitment was made.

Serial Number	Details of migrant workman			Sex, M/F/O	Age	Permanent home address	Name and address (including Mobile No.) of the next of kin of the migrant workman	Place and address of residence in the home State	Amount of displacement allowance paid.	Amount of outward/return journey allowance paid
1	2			3	4	5	6	7	8	9
	(a) Name	(b) UAN/ Aadhaar No.	(c) Mobile No.							

Amount of wages for outward/return journey period paid.	Total wages paid	Nature of work required to be performed	Date of recruitment	Date of employment	Details of rates of wages and other allowances payable	Details of rates of wages and other allowances paid	Period of contract of employment and total days worked	Details of other service conditions	Remarks
10	11	12	13	14	15	16	17	18	19

Date:

Submitted to

(1).....

(Specified authority in the State from which the migrant workman/workmen is/are employed).

(2).....

(Specified authority in the State in which migrant workman/workmen has/have been recruited.)

Copy forwarded to

.....
(The Principal Employer)

Seal & Signature of Contractor

Seal & Signature of Contractor

FORM XI

[Under rule 210(7) and rule 230(a) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]

REPORT OF POISONING OR OCCUPATIONAL NOTIFIABLE DISEASES/ ACCIDENTS AND DANGEROUS OCCURRENCES*

No. and date of Registration Certificate under the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996):-

1. Name of the employer :
2. LIN/PAN No. :
3. Email id :
4. Mobile No. :
5. Name of the building worker :
6. LIN/PAN No. :
7. Email id :
8. Mobile No. :
9. Address of the building worker :
10. Sex and Age :
11. Designation :
12. Marital status :

PART A –REPORT OF ACCIDENTS AND DANGEROUS OCCURRENCES

[Rule 210(7) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]

1. **Particulars of accident** :
 - a. Exact place where accident occurred :
 - b. Date :
 - c. Time :
 - d. What the injured person was doing at the time of accident :
 - e. Weather condition :
 - f. How long employed by you for this particular job :
 - g. Particulars of equipment/machine/ tool involved and condition of the same after the accident occurred. :
 - h. Brief description of the accident :
2. **Nature of injuries.** :
 - a. Fatal :
 - b. Non-fatal :
 - c. If non-fatal, state precisely the nature of injuries(describe in detail the nature of injury, for instance fracture of right arm, sprain etc.) :
 - d. First Aid: : Given Not given
 - e. If not, give the reasons :
 - f. Name and designation of the person by whom first-aid was given :

g.	If admitted to hospital, name of the hospital	:	
	Address of the hospital	:	
	Name of the Doctor.	:	
	Phone No.	:	
3	Mode of transport used Ambulance/ any other mode (please specify)	:	
4	How much time was taken to shift the injured person	:	
a.	If very late, state the reasons	:	
b.	How the reporting was made ?	:	
	Phone / Special messenger letter/email/SMS	:	
c.	Who visited the accident site first and what action was proposed by him?	:	
d.	What are the actions taken for the investigation of the accident by the employer ? (describe about photographs/ Video film/ measurements taken, etc.)	:	
5	Particulars of persons giving witness.		
a.	<u>Name</u> <u>Address</u>	<u>Occupation</u>	<u>Mobile No.</u>
1.			
2.			
3.			
4.			
6	Particulars in case of fatal	:	
	Date/Time	:	
	Whether worker registered with Building and Other Construction Workers' Welfare Board. If yes, give Registration Number & name of the Board	:	
7	Dangerous Occurrences as covered under the Regulation No. (Give details)	:	
a.	Collapse or failure of lifting appliances, hoist conveyors, etc.	:	
b.	Collapse or subsidence of soil, any wall, floor, gallery etc.	:	
c.	Collapse of transmission towers, pipeline, bridges, etc.	:	
d.	Explosion of receiver, vessel, etc.	:	
e	Fire and explosion	:	
f	Spillage or leakage of hazardous substances	:	
g	Collapse, capsizing, toppling or collision of transport equipment	:	
h	Leakage or release of harmful toxic gases at the construction site.	:	
i.	Failure of lifting appliance, loose gear, hoist or building and other construction work machinery, transport equipment, etc.	:	
8	Certificate from the Employer or authorized signatory.	:	

PART B – REPORT OF POISONING OR OCCUPATIONAL NOTIFIABLE DISEASE:

[Rule 230(a) of the Tripura Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2001]

1. State exactly what the patient was doing at the time of contracting the disease
2. Nature of poisoning or disease from which the building worker is suffering

Date :

Sign.of the MO*

Seal and Signature of the employer
Designation

Note: When a building worker contracts any disease specified in Schedule XII, a notice in this form shall be sent forthwith to the Director General.

(*Please strike off where not applicable)

To,

(FOR PART A)

5. The Inspector
6. The Board
7. The Director General
8. The Authority under section 39 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996)

(FOR PART B)

4. The Inspector
5. The Building and Other Construction Workers Welfare Board with which the worker is registered as a beneficiary.
6. The Director General* (In case the medical officer attends on the concerned building worker)

Note: If more than one person is involved, then for each person, information is to be filled up in separate forms.

FORM XII

[Under rule 65 of the Tripura Contract Labour (Regulation and Abolition) Rules, 1978]

Employment Card

- A. Name Contractor:
A1. LIN/PAN No. of the contractor:
A2. Email Id of the contractor:
A3. Mobile No. of the contractor:
- B. Nature and location of work:
- C. Name of Principal Employer:
C1. LIN/PAN No. of the Principal employer:
C2. Email Id of the Principal employer:
C3. Mobile No. of the Principal employer:



D. Name of :
.....

- D1. UAN/Aadhaar No.:
D2. Mobile No. :
1. Serial number in the register of workmen employed
2. Nature of Designation
3. Wages rate (with particulars of unit, in case of piece-work)
4. Date of commencement of employment
5. Remarks

Seal and Signature of Contractor